

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

ROGER JOHNSON, #1540631 §

VS. § CIVIL ACTION NO. 6:11cv21

TDCJ, ET AL. §

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the complaint is **DISMISSED** without prejudice on the Plaintiff's motion, Fed. R. Civ. P. 41(a)(1)(B), and for failure to prosecute and failure to obey an order pursuant to Fed. R. Civ. P. 41(b); Rule 41, Local Rules for the Eastern District of Texas. Any and all motions which may be pending in this civil action are hereby **DENIED**.

**SIGNED this 25th day of May, 2011.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE